

IMPLEMENTATION

COMPREHENSIVE MANAGEMENT PLAN (CMP)

NATIVE HAWAIIAN CULTURAL RESOURCES

CR – 8

Develop and adopt a management policy for the UH Management Areas on the scattering of cremated human remains

I. STATUTES AND ADMINISTRATIVE RULES

There are no statutes or rules that prohibit the spreading or placement of human cremated remains.

Department of Health allows the scattering of ashes provided it is done discretely.

Department of Land and Natural Resources:

- Division of Forestry and Wildlife issues permits for the scattering of remains on forest reserve lands.
- Burial Councils do not take up matters concerning the scattering of human remains.
- Natural Areas Reserves Systems issues a permit.
- Conservation and Coastal Lands regards the scattering of human remains an activity and not a land use, and therefore does not require a land use permit

II. PROPOSED OMKM POLICY

The scattering of cremated human remains, or ashes, is allowed provided the manner in which the scattering of the cremated remains is carried out discretely and away from public view and areas where the public frequents. The cremated remains must not be identifiable as human remains. Further, no memorials, including plaques, flowers, plants or plant material, food or religious symbols or personal objects are to be left in the area.

- Cremated human remains must be scattered and not left or buried in a container such as a bag or urn.
- No memorials, such as photos, personal objects, religious symbols, flowers, plant material, food, plaques, etc. shall be left at, near or on the landscape

- The scattering of cremated remains shall take place in areas away from public view and at a minimum of 100 yards where the public frequents including trails, roads, developed facility or body of water.
- Cremated remains must be pulverized so as not to identifiable as human remains including bone fragments.

III. DISCUSSION

In 2011 Kahu Kū Mauna discussed this CMP management action. Initially the office felt that this activity didn't need a permit, however, OMKM is reconsidering that we should require a permit to be consistent with DLNR rules. The reason being is that there are no physical boundaries that delineate UH's managed lands from DLNR lands, including the Mauna Kea Forest Reserve and Mauna Kea Ice Age Natural Area Reserve, which are adjacent to UH lands on Mauna Kea. Most individuals are unaware there are political boundaries much less where those boundaries lie.

Under frequently asked questions in the DLNR website it states “[g]enerally speaking, no environmental permit is required for scattering of cremated ashes on land, sea or from the air from the Department of Health, but this should be done discreetly and some distance away from the general public. Ashes may not be dispersed within a state forest reserve or watershed area...” However, in discussion with DLNR, they issue permits for the scattering of ashes.

The policy for scattering cremated human remains at Hawaii Volcanoes National Park states “The remains to be scattered must have been cremated and pulverized. The scattering of remains by persons on the ground is to be performed at 100 yards from any trail, road, developed facility, or body of water.” Scattering must take place in such a manner and in such a location that the ashes will not be located and identified as human remains. No memorials, plaques, photos, or flowers will be left in the park.”

OMKM feels the act of scattering ashes is a private matter. In addition, some might view this type of activity offensive to their personal or cultural beliefs. The phrase “some distance” is vague and it might be helpful to provide guidelines, such as a minimum of 100 yards as required by Hawaii Volcanoes National Park. While it is understandable that people would want to leave something to memorialize the spot where the ashes were scattered, such objects end up over time as rubbish and can be blown about the landscape. In addition, flowers and plants have the potential for introducing invasive species which OMKM is charged with preventing; and food articles may introduce invasive species and also attract vermin such as rats and mongoose which are threats to the native wildlife.